

DRAFT MINUTES

**Carson City Planning Commission and Growth Management Commission Regular Meeting
Wednesday, September 29, 2021 ● 5:00 PM
Community Center Robert “Bob” Crowell Boardroom
851 East William Street, Carson City, Nevada**

Commission Members

Chair – Charles Borders, Jr.

Vice Chair – Jay Wiggins

Commissioner – Paul Esswein

Commissioner – Nathaniel Killgore

Commissioner – Sena Loyd

Commissioner – Richard Perry

Commissioner – Teri Preston

Staff

Hope Sullivan, Community Development Director

Heather Ferris, Planning Manager

Todd Reese, Deputy District Attorney

Heather Manzo, Associate Planner

Tamar Warren, Senior Public Meetings Clerk

NOTE: A recording of these proceedings, the board’s agenda materials, and any written comments or documentation provided to the Public Meeting Clerk during the meeting are public record. These materials are on file in the Clerk-Recorder’s Office, and are available for review during regular business hours.

The approved minutes of all meetings are available on www.Carson.org/minutes.

GROWTH MANAGEMENT COMMISSION

1. CALL TO ORDER – GROWTH MANAGEMENT COMMISSION

(5:01:22) – Chairperson Borders called the Growth Management Commission meeting to order at 5:01 p.m. and noted that the Planning Commission meeting will take place prior to the Growth Management Commission meeting.

2. ROLL CALL AND DETERMINATION OF QUORUM

(9:13:26) – Roll was called, and a quorum was present.

Attendee Name	Status	Arrived
Chairperson Charles Borders, Jr.	Present	
Vice Chair Jay Wiggins	Present	
Commissioner Paul Esswein	Absent	
Commissioner Nathaniel Killgore	Present	
Commissioner Sena Loyd	Present	
Commissioner Richard Perry	Absent	
Commissioner Teri Preston	Present	

3. PLEDGE OF ALLEGIANCE

(5:02:15) – Vice Chairperson Wiggins led the Pledge of Allegiance.

4. PUBLIC COMMENTS

(9:13:49) – Chairperson Borders entertained public comments; however, none were forthcoming.

5. FOR POSSIBLE ACTION: APPROVAL OF THE MINUTES – AUGUST 25, 2021.

(9:14:05) – Chairperson Borders introduced the item and entertained comments or changes.

(9:14:28) – Vice Chair Wiggins moved to approve the minutes of the August 25, 2021 Growth Management Commission meeting as amended. The motion was seconded by Commissioner Killgore.

RESULT:	APPROVED (5-0-0)
MOVER:	Wiggins
SECONDER:	Killgore
AYES:	Borders, Wiggins, Killgore, Loyd, Preston
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Esswein, Perry

6. MEETING ITEMS

6.A GM-2021-0131 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A GROWTH MANAGEMENT APPROVAL TO ALLOW FOR A DAILY WATER USAGE OF 29,500 GALLONS PER DAY FOR A PROPOSED DRIVE-THROUGH CARWASH ON PROPERTY ZONED RETAIL COMMERCIAL (“RC”), LOCATED AT 3390 S. CARSON STREET, APN 009-111-28.

(9:15:09) – Chairperson Borders introduced the item. Ms. Sullivan gave background including information that the item had been continued at the request of the applicant. She also presented the Staff Report and accompanying documents, and responded to clarifying questions. Vice Chair Wiggins expressed concern regarding transferability and Ms. Sullivan recommended adding a non-transferability Condition of Approval. Commissioner Preston inquired about the well on the property and Ms. Sullivan explained that the applicants would look into the well as an additional source of water should they need over 29,500 gallons per day.

(9:23:25) – Applicant representative and attorney Michael Cabrera noted that the Commission at its last meeting had been concerned about the quantity of water requested at the previous meeting based on the drought conditions. He also explained that at Vice Chair Wiggins’ request, they had revised Condition of Approval No. 3 to reflect: *Each year for ~~three~~ five years after commencement of the use, the applicant shall submit to the Growth Management Commission documentation of actual water use in the form of gallons per day and peak flow for any consecutive 15 minutes.* Mr. Cabrera also noted that the overall water use

request had been reduced to 29,500 gallons per day. He also reviewed highlights of the presentation, incorporated into the record, he had made at the last Growth Management meeting and introduced Metro Carwash founder Ernie Ionno. Mr. Cabrera explained that the traffic counts were modified and based on 2019 numbers as 2020 was a slower traffic year due to the COVID-19 pandemic.

(9:39:58) – Commissioner Loyd inquired about the total amount of water used per vehicle, including the recycled water. Mr. Ionno stated that approximately 70-80 total gallons of wash water were used per vehicle. Mr. Cabrera indicated that they currently had 0.72-acre feet of well-water rights; however, they might have the possibility of purchasing more. He also clarified that in order to use the well water along with City water, Staff had requested them to “demonstrate that we can do that before moving forward.” Chairperson Borders entertained public comment.

(9:42:07) – Carson City Chamber of Commerce Executive Director Ronni Hannaman believed that the proposed carwash would be “a very good thing for South Carson Street which is in the Redevelopment zone, and the property in question has been blighted for years.” She also believed that the auto dealers were in need of a nearby carwash. Ms. Hannaman also applauded the applicant’s willingness to meet the City “almost half-way” and to fill a vacant property.

(9:44:20) – Jim Cavilia, attorney at the Law Offices of Allison MacKenzie (whose letter is incorporated into the record) introduced himself as a representative of Raceway Carwash. Mr. Cavilia reminded the Commission that they has discretion and could either approve or deny the application. He believed that the Commission should consider “other effects of water usage” which he defined as “what do you think is a good use of Carson City’s limited water resources?” Mr. Cavilia requested denial of the application based on the fact that other carwashes in town operate within the allowable water limits.

(9:47:29) – Mark Wray, introduced himself as an attorney and called Mr. Cavilia’s statements “misleading” when he stated that Metro Carwash would use three times the amount of water as other carwashes. He noted that Raceway Carwash had purchased two of Mr. Ionno’s carwashes in Reno that use more than 29,500 gallons of water per day. Mr. Wray believed that the City would not “lose the ability to have more water to allocate to people by giving approval to this project.” He also cited information on communities who had banned washing cars in a driveway or on a lawn, noting that the water would be used wisely by the carwash.

(9:53:12) – Ms. Sullivan clarified that this review is discretionary. She also explained that the Growth Management Commission had made a decision to review opportunity costs of a project; however, those criteria were not in effect at this time and that this application would be treated in the same manner as the nine applications before it. Ms. Sullivan addressed the transferability question noting that “an entitlement certificate runs with the land.” She also noted that the Commission has the right to create Conditions of Approval limiting transferability to new owners or for a new use.

(9:57:10) – Commissioner Loyd inquired about water pressure changes outlined in Mr. Cavilia’s letter. Mr. Pottéy clarified that pressure below 10 psi would cause issues; however, to his knowledge, there had not been such pressure drops. Chair Borders reminded the Commission that “to allocate this amount of water is a real unknown,” regardless of the drought conditions.

(10:02:05) – Commissioner Wiggins indicated that he would support the item with the added condition of terminating the water rights in case of a change of use, and he saw this as an opportunity to have the latest technology in carwashes. Commissioner Preston was informed that change of use was easier to track than change of ownership, as Staff were unable to track sales. Chairperson Borders inquired whether the project could be approved based on a schedule of incremental use year-over-year. Ms. Sullivan believed it could be feasible but cumbersome. She also explained to Commissioner Preston that a Condition of Approval to have annual reporting of water use was provided and requested an explanation of from each Commissioner on their position. Chairperson Borders reminded the Commissioners that the non-transferability condition would be added. Mr. Cabrera confirmed that the Condition of Approval they have agreed to is that “as long as the use is not changed, the entitlement would remain on the site. If the ownership changes, that [Condition will be] nullified.”

(10:08:50) – Chairperson Borders noted that he still had issues with the requested water amount. Commissioner Preston acknowledged the concessions made by the applicant; however, she still felt the requested amount was high. Commissioner Killgore and Commissioner Preston believed that 25,000 gallons would be acceptable to them. Commissioner Loyd was also concerned with the requested water amount. Vice Chair Wiggins believed that the lot could accommodate two businesses that may use 14,999 gallons of water per each day with no way of tracking the usage. He believed that the applicant would use the water as efficiently as possible. Chairperson Borders entertained a motion.

(10:12:24) – Vice Chair Wiggins moved to approve GM-2021-0131 based on the review criteria in place at the time of application with the addition of Condition No. 8 as stated by the Community Development Director.

Ms. Sullivan reread into the record the added Condition No. 8: *This is approved based on the representation of water conservation and operations. Because of this authorization to utilize 29,500 gallons [of water] per day is non-transferrable, any change of use will be limited to the threshold in effect at that time, unless a larger water use is authorized by the Growth Management Commission.*

The motion was seconded by Commissioner Killgore.

RESULT:	APPROVED (3-2-0)
MOVER:	Wiggins
SECONDER:	Killgore
AYES:	Wiggins, Loyd, Killgore
NAYS:	Borders, Preston
ABSTENTIONS:	None
ABSENT:	Esswein, Perry

7. PUBLIC COMMENT

(10:14:05) – Chairperson Borders entertained public comments; however, none were forthcoming.

8. FOR POSSIBLE ACTION: ADJOURN AS THE GROWTH MANAGEMENT COMMISSION

(10:14:31) – Chairperson Borders adjourned the Growth Management Commission meeting at 10:14 p.m.

PLANNING COMMISSION

9. CALL TO ORDER – PLANNING COMMISSION

(5:01:50) – Chairperson Borders called the Planning Commission meeting to order at 5:01 p.m.

10. ROLL CALL AND DETERMINATION OF A QUORUM

(5:01:55) – Roll was called, and a quorum was present.

Attendee Name	Status	Arrived
Chairperson Charles Borders, Jr.	Present	
Vice Chair Jay Wiggins	Present	
Commissioner Paul Esswein	Absent	
Commissioner Nathaniel Killgore	Present	
Commissioner Sena Loyd	Present	
Commissioner Richard Perry	Absent	
Commissioner Teri Preston	Present	

11. PUBLIC COMMENT

(5:02:45) – Chairperson Borders entertained public comments on non-agendized items.

(5:03:15) – Kathleen Franco Simmons noted that she had been informed that this Boardroom would comply with the Centers for Disease Control (CDC) guidelines for social distancing; however, she had noticed that not everyone was wearing masks at the meeting. Chairperson Borders explained that he was about to inform the audience that the Community Center required masks inside the facility and informed everyone that they should wear masks which could be removed while testifying and that masks were provided at the Boardroom door. He clarified that the Commissioners had been separated from each other by plexiglass barriers and that was why some members had not been wearing masks. Chairperson Borders also announced that public comment would be limited to three minutes due to the large number of commenters.

12. FOR POSSIBLE ACTION: APPROVAL OF THE MINUTES – AUGUST 25, 2021

(5:05:21) – Chairperson Borders introduced the item and entertained comments or corrections and when none were forthcoming, a motion.

(5:05:44) – Vice Chair Wiggins moved to approve the minutes of the August 25, 2021 Planning Commission meeting as presented. The motion was seconded by Commissioner Killgore.

RESULT:	APPROVED (5-0-0)
MOVER:	Wiggins
SECONDER:	Killgore
AYES:	Borders, Wiggins, Killgore, Loyd, Preston
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Esswein, Perry

13. MEETING ITEMS

13.A LU-2021-0302 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW A TEMPORARY TRACT SALES OFFICE, MODEL HOMES, PARKING AREA, TEMPORARY OFFICE TRAILER, AND ADVERTISING SIGNAGE ON PROPERTIES ZONED SINGLE FAMILY 6000 – SPECIFIC PLAN AREA (“SF6-SPA”) LOCATED AT 170, 192, 216, AND 240 WILDCAT PEAK DRIVE AND 1656 MONITOR PEAK STREET, APNS: 004-408-33, 004-408-32, 004-408-31, 004-408-30, AND 004-408-29.

(5:06:05) – Chairperson Borders introduced the item. Ms. Ferris presented the Staff Report, incorporated into the record and noted the presence of the applicant, Steve Thomsen. Mr. Thomsen acknowledged reading and accepting the Conditions of Approval outlined in the Staff Report. He also informed Chair Borders that the ADA restroom will remain on the premises until the completion of the project. There were no additional comments from the Commissioners or the public; therefore, Chairperson Borders entertained a motion.

(5:09:24) – Commissioner Loyd moved to approve Special Use Permit LU-2021-0302, based on the findings, and subject to the Conditions of Approval contained in the Staff Report. The motion was seconded by Commissioner Preston.

RESULT:	APPROVED (5-0-0)
MOVER:	Loyd
SECONDER:	Preston
AYES:	Borders, Wiggins, Killgore, Loyd, Preston
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Esswein, Perry

13.B LU-2021-0303 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR AN EXTENSION OF THE EXPIRATION DATE OF SUP-16-090, A SPECIAL USE PERMIT TO ALLOW THE OPERATION OF AN UNLIMITED GAMING

CASINO, BAR, AND ADDITIONAL SIGNAGE ON A PROPERTY ZONED RETAIL COMMERCIAL – PLANNED UNIT DEVELOPMENT (“RC-P”), LOCATED AT 3246 NORTH CARSON STREET, APN: 007-462-06.

(5:08:58) – Chairperson Borders introduced the item. Ms. Manzo provided background and reviewed the Staff Report which in incorporated into the record. She also clarified for Vice Chair Wiggins that the reduction in the number of the Conditions of Approval was due to the removal of all building code requirements. Development Engineering project manager Stephen Pottéy informed Chairperson Borders that the sewer main analysis requirement (Condition No. 11) would determine the applicant’s pro-rata share of upsizing the sewer lines. Discussion ensued regarding signage and Ms. Manzo recommended having an explanation by the applicant. Commissioner Loyd inquired about the recommended three-year Special Use Permit timeline, and Ms. Manzo noted that the Staff recommendation was to avoid an open-ended timeline; however, it would be up to the Commission to determine that timeline. She also clarified that any future extensions would be determined based on the findings at that time.

(5:17:45) – Applicant Representative Severin Carlson of Kaempfer Crowell gave background on his client, Silver Bullet of Nevada, LLC, and provided a brief history of the pending lawsuits referenced in his letter which is incorporated into the record. Mr. Carlson also noted his client’s acceptance of the Conditions of Approval including the three-year extension of the Special Use Permit, described the signage components of the project, and responded to clarifying questions. Chairperson Borders entertained public comments and when none were forthcoming, a motion.

(5:23:15) – Vice Chair Wiggins moved to approve an extension of the expiration date for SUP 16-090 to November 17, 2024, as the approved Special Use Permit continues to be appropriate, and the activity permitted by the Special Use Permit will not adversely impact other properties in the area or the public interest. The motion was seconded by Commissioner Killgore.

RESULT:	APPROVED (5-0-0)
MOVER:	Wiggins
SECONDER:	Killgore
AYES:	Borders, Wiggins, Killgore, Loyd, Preston
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Esswein, Perry

13.C LU-2021-0321 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT TO CONSTRUCT A DETACHED ACCESSORY STRUCTURE THAT WILL RESULT IN: 1) THE CUMULATIVE SQUARE FOOTAGE OF ACCESSORY STRUCTURE(S) EXCEEDING 75 PERCENT OF THE SIZE OF THE PRIMARY STRUCTURE, AND 2) A SINGLE ACCESSORY STRUCTURE THAT EXCEEDS 5 PERCENT OF THE TOTAL LOT AREA ON A PROPERTY ZONED SINGLE FAMILY 1 ACRE (SF1A), LOCATED AT 1055 VALLEY VIEW DRIVE, APN 009-143-06.

(5:24:24) – Chairperson Borders introduced the item. Ms. Manzo presented the Staff Report, incorporated into the record. Mr. Pottéy clarified for Vice Chair Wiggins that a former applicant with a similar Special Use Permit that had been approved with the condition of having two driveways had been notified that the second driveway was not needed. He also noted that the City would no longer make that a requirement.

(5:28:16) – Applicant Chris Holland stated that he had read and was in agreement with the Conditions of Approval outlined in the Staff Report. Chairperson Borders entertained public comments and when none were forthcoming, a motion.

(5:29:14) – Commissioner Killgore moved to approve special use permit LU-2021-0321, based on the ability to make all Findings and subject to the Conditions of Approval contained in the Staff Report. The motion was seconded by Commissioner Preston.

RESULT:	APPROVED (5-0-0)
MOVER:	Killgore
SECONDER:	Preston
AYES:	Borders, Wiggins, Killgore, Loyd, Preston
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Esswein, Perry

13.D LU-2021-0307 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST TO AMEND SPECIAL USE PERMIT LU-2020-0009 TO EXPAND AN EXISTING GREENHOUSE PROJECT TO INCLUDE WORM COMPOSTING OF FOOD WASTE AND NURSERY CROP OPERATIONS AT CARSON HIGH SCHOOL ON PROPERTY ZONED PUBLIC (“P”), LOCATED AT 1111 NORTH SALIMAN ROAD, APN 010041-64.

(5:29:56) – Chairperson Borders introduced the item and read into the record a prepared disclosure statement, advised of no disqualifying conflict of interest and stated that he would participate in discussion and action. Ms. Ferris reviewed the Staff Report, incorporated into the record, and responded to clarifying questions.

(5:33:56) – Applicant Representative Chris Baker of Manhard Consulting introduced himself and noted the applicant’s agreement with the Conditions of Approval and introduced the applicants Mark Corinek and Karen Abowd. In response to a question by Commissioner Loyd, Ms. Abowd stated that the Greenhouse Project currently impacts about 200 students; however, with the new expansion of the program, it would serve additional students. Chairperson Borders entertained public comments.

(5:36:03) – El Pollo Loco franchise owner Mohammed Sattar expressed concern regarding the proximity of the Greenhouse to his restaurant. Mr. Sattar believed that the worm composting would attract flies and would emanate bad odors. Greenhouse Project Site Manager and Garden Educator Cory King explained that composting was already part of the project’s existing operation and that they would use several mitigation techniques “to make sure that those issues are minimized.” Mr. King also noted that they utilize “buffers around the property to mitigate any issues” including a berm on the north side of the property. Ms. Abowd added that they “had to go through the Nevada Department of Environmental Protection [NDEP] application [process] as well,” and read their requirements on the record. Chairperson Borders entertained a motion.

(5:39:10) – Commissioner Loyd moved to approve LU-2021-0307, an amendment to a Special Use Permit, based on the Findings and subject to the Conditions of Approval contained in the Staff Report. The motion was seconded by Commissioner Preston.

RESULT:	APPROVED (5-0-0)
MOVER:	Loyd
SECONDER:	Preston
AYES:	Borders, Wiggins, Killgore, Loyd, Preston
NAYS:	None
ABSTENTIONS:	None
ABSENT:	Esswein, Perry

13.E LU-2021-0308 FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING A REQUEST FOR A SPECIAL USE PERMIT TO ALLOW FOR A SLAUGHTERHOUSE ON PROPERTY ZONED GENERAL INDUSTRIAL (“GI”), LOCATED ON THE SOUTH SIDE OF HWY 50 E AND EAST OF DETROIT ROAD, PORTIONS OF APNS 008-371-38, 008-371-39, AND 008-371-10.

(5:39:55) – Chairperson Borders introduced the item. Ms. Ferris presented the Staff Report, incorporated into the record, and noted that Condition of Approval No. 26 will be added to read:

26. The sewer lift station downstream of the project is at capacity with entitled projects. The project must enter into a development agreement with the City to pay its pro-rata share based on the peak flow to be contributed, with an available flow of 320 gallons per minute and a total project cost of \$1,000,000.

(5:43:55) – Ms. Ferris also read into the record Finding No. 2 of the seven findings of fact which are incorporated into the record. She also highlighted the public comments that were incorporated into the Staff Report or presented to the Board as late material.

(5:50:29) – Mr. Pottéy addressed the written public comments that were incorporated into the record. He noted that stormwater pollution was addressed in Conditions No. 9 and 19, and that the flood zone issues were addressed by having “a floodway and other regulated flood zones on the property,” and that the grading for the project would be “outside of the floodway.” Mr. Pottéy noted that “any grading inside the other flood zones would be required to meet Carson City Municipal Code (CCMC) 12.09 – flood damage prevention.” Regarding traffic concerns, he indicated that the applicant had provided a Trip Generation Analysis which did not meet the threshold to require a full Traffic Impact Study at 53 daily trips. Mr. Pottéy and Ms. Ferris also responded to clarifying questions, and it was determined that a condition may be added should the Commission require annual reviews of the Special Use Permit.

(5:59:05) – Applicant Representative Chris Baker of Manhard Consulting introduced applicants Karin Sinclair and Mike Holcomb and noted that they had read and were in agreement with the Conditions of Approval including the added Condition [No. 26]. Mr. Baker also reviewed a presentation, incorporated into the record.

(6:12:40) – At Chairperson Border’s request, Mr. Holcomb Reviewed the Floor Plan (page 31 of the Staff Report). He also explained that the special events noted in the Staff Report are: the Nevada Junior Livestock Show and the other fairs, including 4H and Future Farmers of America (FFA) events that range from May until August. Doris Hoskin introduced herself and noted that she is “the one that coordinates from the fair to the harvest plants.” Ms. Hoskin added that the animals will be divided among processing plants in Carson City, Fallon, and Reno, depending on the purchasers’ location. Chairperson Borders was informed that the applicants were open to a review after the operation is up and running, incorporated into the record as a Condition of Approval.

(6:20:07) – Commissioner Preston referenced the Commission’s past issues with Tahoe Western Asphalt in Mound House and preferred an annual review and report. Mr. Holcomb was not opposed to that request. Commissioner Loyd believed that the report should be presented to the Planning Commission and not to Staff in order to provide the public with the opportunity to comment. Ms. Ferris assumed that the location of the mobile home park was a “legal non-conforming use” prior to the GI zoning being applied to the subject property. Chairperson Borders explained the hearing process and entertained public comments and reminded speakers of the three-minute time limit. He also encouraged those who agree with a previous comment to note their agreement instead of reiterating the issue.

(6:26:24) – Christie Bird introduced herself as an Empire Ranch resident and read a prepared statement which outlined the loss of property values and the quality of life which she believed would plummet. Ms. Bird was concerned about the noise and played an audio of screaming animals she had recorded. She noted that her children would be subjected to the sounds and the smells, in addition to the trucks bringing in the animals and taking away the unprocessed remains.

(6:29:40) – Travis Legatzke introduced himself as a native of Carson City and noted that even though he supported the farm-to-table concept, he was not in favor of the location because of the insect infestation that was common at slaughterhouses and called it an oversight by Staff. Mr. Legatzke was concerned that

the insect would harm the Morgan Mills recreation trails, and advised the Commission to help the community members and not “the ranchers outside.”

(6:35:16) – Robert Buttner introduced himself as a 60-year August Drive resident and highlighted the growth of and the improvements to the City. Mr. Buttner objected to the location of the slaughterhouse and noted that Butler Meats in town did his processing. He stated that the neighborhood is quiet now; however, the animals would be screaming for 24 hours, causing all the dogs in the area to bark. Mr. Buttner was not opposed to the processing, but he was to the stockyard.

(6:39:38) – Barb Mathers read a statement from Maxine Bradshaw which is incorporated into the record. She also noted her personal objection to the odor, noting that the project had been denied in Carson Valley; therefore, it should be denied in Carson City.

(6:43:35) – Jennifer Verive introduced herself as Mr. Buttner’s neighbor and noted that the noise would go on for 24 hours and reiterated her written comments which are incorporated into the record. She believed Conditions No. 20 and 22 were vague and that Findings No. 1, 2, 3.4, 6, and 7 were not met.

(6:47:17) – Keriann Ortiz introduced herself as a local 4H leader, and a fair consultant. Ms. Ortiz listed the many livestock shows and fairs noting that at their last show a total of 35 animals were processed. Ms. Ortiz called herself “a small-scale farmer” and explained that all of their funds were raised from selling the meat. She noted the support given by Mr. Holcomb and Ms. Sinclair to their 4H organization.

(6:50:20) – Kadence Ortiz introduced herself as a Minden resident and a 4H participant and team leader. She spoke in favor of having a local processing plant for local buyers at their auctions.

(6:52:19) – Lauren Cimino introduced herself as a representative of Montgomery Creek Ranch of grass-fed beef and spoke in support of the project. She read a prepared statement noting that “benefits far outweigh the side affects of Carson Valley Meats opening a processing facility.” She cited job creation, economic growth, locally grown protein sources, and educational opportunities for youth. She praised Mr. Holcomb’s experience at the University of Nevada Reno and recommended approval of the project.

(6:55:18) – Maria Sanchez introduced herself as a representative of the Spanish-speaking community at the nearby mobile home park. She was not opposed to the processing plant; however, she did not believe that the location was appropriate due to the noise, odor, and sewage.

(6:58:21) – Kathleen Franco Simmons introduced herself and noted that she was speaking on behalf of herself and her parents, Diane and George Howard. Ms. Franco’s letter, incorporated into the record, was in agreement with the earlier comments regarding, noise, odor, loss of property values, etc. She distributed late material, also incorporated into the record.

(7:03:34) – Manford Roger Rakow introduced himself and cited a school trip to a slaughterhouse and the “mess” that had been made. He also expressed concern regarding water runoff and the dam near his home which, if it breaks, would cause manure runoff.

(7:07:08) – John Uhart introduced himself as a second-generation Basque from “a big ranching family.” Mr. Uhart explained that Carson Valley Meats had been processing their meat because they were FDA-approved. He believed that the facility is needed for the community that buys animals and has the meat butchered locally. He urged the Commission to approve the Special Use Permit as the processing plant was needed in this community.

(7:10:30) – Ann Louhela introduced herself as a Reno resident and “a project director for a small farm agriculture program at Western Nevada College” and president and director of Nevada Grown. She spoke in support of the processing plant. Ms. Louhela explained that Wolf Pack Meats in Reno near her home is clean, well maintained, foul odor and insect problem free. She noted that only a handful of people know the facility is a meat-processing plant and is unlike large, fly-infested plants. Ms. Louhela indicated that there were waiting lists for local ranchers to have their meat processed there.

(7:13:54) – Charles Venables introduced himself as a cattle ranch owner in Smith Valley. Mr. Venables recommended approval of the Special Use Permit as it was needed.

(7:14:30) – Doreen Mack introduced herself as the president of the Downtown 20/20 Group. She explained that the Group had spent years to create a community and a beautiful downtown. Ms. Mack believed “there’s a place for this kind of business but it’s not in a populated area” and recommended areas between Dayton and Silver Springs or in the Stead area. She was also concerned about the odor.

(7:16:32) – Ana Winston introduced herself as an Empire Ranch Estates resident of 18 years. She did not believe one week’s notice was enough for the project. She also expressed concern that their property values would go down, and the business would create traffic issues, noise and odor pollution.

(7:20:06) – Shonna Ingram introduced herself and noted that she respected the ranching community, she had hunted and was brought up in 4H. Ms. Ingram was concerned about speeding livestock trucks on highway 50 and was opposed to the noise made by screaming animals and the urine smell. She praised the town for its development but was concerned about the well water and about where the rendering trucks would dispose the waste. She recommended other areas nearby for the business.

(7:23:26) – Maxine Nietz introduced herself as a citizen, voter, community activist, and a former Planning Commissioner. She called Carson City a City not a small community and noted that ranchers were “disappearing.” Ms. Nietz believed that animal waste will seep into the ground and eventually into the river, and it will happen at night when inspectors are not around.

(7:27:17) – Charlie Abowd spoke in support of the processing plant noting that it had been difficult to find reliable sources of USDA-approved and stamped beef. Mr. Abowd praised Mr. Holcomb’s ability to previously run Wolf Pack Meats in the heart of Reno at “the highest level of the industry.” He also noted that (4H and other organizations’) children were having a hard time getting their products to market. Mr. Abowd spoke of reservations at current processing plants to be about one year out and that only one was USDA-approved.

(7:31:13) – Fritz Richards introduced himself as being in the agriculture industry “all my life” and noted the lack of processing plants in the area. He noted that he had lived near processing plants and invited all concerned to visit Wolf Pack Meats to be reassured that it could exist within a city environment. Mr. Richards praised Mr. Holcomb’s qualifications and believed the impact would be minimal.

(7:34:33) – Mary Bowers introduced herself as a resident of Empire Ranch Golf Course. She understood the need of the ranchers and the students; however, she did not support having the facility in a residential community. Ms. Bowers expressed concern regarding the flooding of Morgan Mill Road and the seeping into the river. She believed the interior of the plant could be controlled; however, she was concerned about the odor, insects, and other issues outside. Ms. Bowers questioned the monitoring of the number of animals in the pens and the special event compliance issues.

(7:38:38) – Chairperson Borders recessed the meeting.

(7:47:16) – Chairperson Borders reconvened the meeting. A quorum was still present.

(7:47:50) – Kendra Wilson introduced herself as a business owner in Carson City. Ms. Wilson understood why the community opposed the slaughterhouse and was concerned about the local property values. She was in favor of Commissioner Loyd’s suggestion of a follow up; however, she believed the project should not be built in town.

(7:51:23) – John Dooley introduced himself as a property owner in Washoe Valley and noted that they owned several animals on their property. Mr. Dooley noted his disappointment that Mr. Holcomb had left Wolf Pack Meats and was in support of the project as he, other small ranchers, and business owners were in need of Mr. Holcomb’s services for locally raised meat. He noted that animals would be more stressed traveling to Fallon, adding that the challenges have been addressed in Reno as a metropolitan area. Mr. Dooley believed that raising animals would preserve open space.

(7:55:26) – Russell Scossa introduced himself as a rancher and spoke in favor of the slaughterhouse. Mr. Scossa noted the existence of horses within the City limits and added that a subdivision is scheduled to be built next to Wolf Pack Meats without any concerns. He believed that most of the concerns will not be valid and believed that Carson Valley Meats would be open to work with neighbors to solve any problems that arise.

(7:58:42) – Scott Larkin introduced himself as a business owner, a personal property owner, and a “hobbyist rancher” in Carson City who had Mr. Holcomb process the meat he raises and praised the quality of his work.

(8:00:00) – Karl Baker introduced himself and noted that his family owned a cow/calf/hay operation in Doyle, California. Mr. Baker believed there is a need for this operation and focused on the USDA certification. He also noted that he had never smelled foul odors or had any issues with Wolf Pack Meats, adding that there is a need for Carson Valley Meats. He encouraged everyone to know “where your food comes from.”

(8:02:34) – Juan Sanchez introduced himself as a native of Carson City and stated that he was opposed to the project because he lived in the mobile home park next to the proposed slaughterhouse. Mr. Sanchez was concerned about additional insects invading their residences in addition to “the mosquitoes from the Carson River [that] are vicious.” He did not want to see his younger siblings and other children living next to a slaughterhouse. Mr. Sanchez was also concerned about the trucks on Highway 50, calling it “death highway” because of the many accidents, and recommended placing it in an agricultural town such as Gardnerville. Mr. Sanchez was concerned about the runoff and clarified that the Waste Management location was not as close to the mobile home park as the slaughterhouse, adding that they only housed recycling there.

(8:06:30) – Scott Rasmussen provided anecdotal information on his family’s butchering background and the difference between their food and the mass-marketed meats. He explained the difference between a feed lot and a slaughterhouse, noting that the latter produced minimal animal waste. Mr. Rasmussen did not believe that mosquitoes will be found near the slaughterhouse as they are drawn to water. He also updated the Commission on the Park [Ranch Holdings] slaughterhouse that still required several contingencies and would need the plant to process their own cattle. He believed that the odor would be less offensive than “rotten garbage” behind a restaurant.

(8:10:35) – Maureen Casey introduced herself as a Minden resident and the current vice chair of the Douglas County Planning Commission. She explained that the Park Ranch slaughterhouse project is “not a go” yet because of the hookups required to the sewer and water systems, adding that approval of this project is “a must” for the smaller ranching community in the area. Ms. Casey explained that the Carson Valley Meats project was not approved in Douglas County because of a 3-3 Planning Commission vote, which she believed involved emotional issues. She believed that the Conditions of Approval for Carson Valley Meats were the same as those for Park Ranch Holdings. Ms. Casey also believed that the annual reporting was a “wonderful idea.”

(8:14:13) – Joylyn Harmer spoke in support of the item and cited her personal experience with Mr. Holcomb at Wolf Pack Meats, noting that she had not experienced noise, smell, or insects. She recommended supporting the Staff’s findings and noted that she was also speaking for her father, Julian Smith and her nephew Josh Smith who were hobbyist ranchers and had worked with Mr. Holcomb.

(8:16:53) – Lorretta Marcin introduced herself as a Carson City resident and explained that she had been a 4H member. Ms. Marcin stated that the reason for the Special Use Permit hearing was because the property was “not zoned for this type of business” and believed that the smell factor was an unknown at this point. She recommended placing the slaughterhouse in Smith Valley or Gardnerville. Ms. Marcin recommended the location for family enjoyment instead.

(8:20:08) – Roger Maxwell introduced himself as an Empire Ranch resident and believed that the project would attract more coyotes and bears. He also recommended that the interested ranchers should sell some of their property to Carson Valley Meats for a slaughterhouse.

(8:21:02) – Chairperson Borders invites Staff to respond to the questions presented in public comment. Ms. Ferris explained that she had already answered many of the questions in her initial Staff Report presentation including noise, odor, and insects. She explained that the insect issue would be monitored by the USDA. Mr. Pottéy noted that he researched the city’s geographic information system (GIS) map and had not seen a risk of the dam breaking. He also noted that the Conditions of Approval had addressed the runoff issues adding that the applicant must receive an industrial stormwater permit from the NDEP. Mr. Pottéy clarified that the vehicle access to the plant would be from Sheep Drive and not Detroit Road, which would also address the flooding of Morgan Mill road.

(8:24:18) – Mr. Baker offer to respond to some of the questions raised during public comment as well. In response to the location question, Mr. Baker noted that to run an adequate USDA facility, the facility must have adequate services such as water and sewer and referenced the Park Ranch facility which has not been approved as of date due to water and sewer contingencies. He also stated that the General Industrial zoning allowed the General Industrial use. He explained that there would be impacts; however, he had not noticed Wolf Pack Meats as a Reno resident, which was adjacent to the river and “in the flood way.” And believed the same operator would provide the same quality of service in Carson City. Mr. Baker clarified that the semi trucks would not deliver the animals; however, they would haul off the renderings to a plant in Reno. He acknowledged that most of the concerns derived from public comment had been regarding the outdoor activities such as noise and odor and believed that there were potential solutions to mitigate them.

(8:27:51) – Commissioner Loyd thanked those who provided public comment for being respectful of opposing comments. She also inquired about the archaeological impact of the project and Mr. Baker explained that part of the final design process would include geotechnical studies submitted to the City. Commissioner Loyd inquired about the importance of a USDA rating and Mr. Holcomb clarified that a USDA stamp of approval on a package would allow the owner of a product to sell it to any person and within the 50 states, adding that a state certified product could not be sold across state lines. Chairperson Borders was informed that the Wolf Pack Meats facility had outdoor pens. He also entertained discussion among the Commissioners and offered to “go first.”

(8:30:57) – Chairperson Borders explained that the most concern had been over Finding No. 2, which was of concern to him as well. He noted that he did not have issues with the other Findings and had to weigh in the benefits to the community. He wished to see the Conditions of Approval include a guaranteed review.

(8:33:10) – Commissioner Loyd noted this was “a tough decision” and believed that additional conditions are required that address the public comments such as crime in the area, and requested a report from the Carson City Sheriff’s Office as part of the review.

(8:34:21) – Commissioner Preston wished to understand whether the same sewer system to be used by the slaughterhouse served the mobile home park and the Empire Ranch area homes. Mr. Pottéy clarified that it was actually “a sewerless station, it’s not technically failing, it’s just at capacity [and] one of the requirements for that lift station as I understand it, is to add a certain amount of emergency reserve space.” He also explained that the lift station was far enough away from the mobile home park and he did not

anticipate the neighborhoods would be aware of the functioning of the lift station. Commissioner Preston also wished to know whether the odor from the slaughterhouse would be stronger than the odor emanating from the effluent water used by the golf course, and Mr. Pottéy noted he did not have an immediate answer to that question.

(8:37:44) – Commissioner Killgore referenced Finding No. 2 and noted that he did not see how “if we had this many people, especially people that are adjacent, their nearest neighbors of course, basically directly referring to how it’s going to be detrimental to their peaceful enjoyment...the objectionable noise, vibrations, fumes, odors, dust, glare or physical activities is proposed 900 feet from where someone lives.” He cited his work experience at an animal processing plant and wished to take everyone’s word for it and note that it would not be peaceful enjoyment; therefore, he could not vote in favor of the project as it did not meet Finding No. 2. Chairperson Borders was informed that Conditions No. 1-20 applied to special events as well, in addition to Conditions No. 20, 21, and 22. He also requested that Condition No. 20 reflect the frequency of special event be three times per year.

(8:42:28) – Ms. Ferris read into the record the proposed Condition No. 26 to reflect the following:

One-year following the commencement of operations, the Planning Commission shall review the special use permit to ensure compliance with the conditions of approval. The applicant shall, at a minimum, submit to the Planning Commission documentation of the actual number of large animals harvested per week during the first year of operation and any crimes in the area associated with the facility. During this review, the Planning Commission may determine whether continued annual review is necessary.

(8:43:25) – In response to a question by Chairperson Borders, Mr. Holcomb explained that should the equipment break prior to processing all the animals, they will be moved away from the property and to another facility. Commissioner Wiggins noted that too many Conditions of Approval make him “nervous.” He also was opposed to having a “commercial farm” 900 feet away from residences and would not vote for the project.

(8:45:42) – Ms. Sullivan wished to clarify certain items for the record and she received confirmation from Chairperson Borders that “the focus of this application was Finding 2, and you were okay with the other six Findings of Fact.” Chairperson Borders also agreed that the Special Use Permit should be non-transferable. Vice Chair Wiggins was also in agreement with all the findings except Finding 2. He believed the project could be detrimental to the surrounding properties or the general neighborhood because they were there first and that the applicant needs to prove that he is not going to impact what’s already there. He believed that a farming operation going in after the fact would not be appropriate. Commissioner Killgore also confirmed that his primary issue was Finding No. 2 “based on what we heard, in this area” where residences were 900 feet away from the subject property, and that he agreed with the other conditions. Commissioner Loyd read the following excerpt from the Staff Report as her main concern: “The nearest residence is approximately 900 feet west of the project site with additional homes being located as close as approximately ¼ mile to the northwest, across Hwy 50 E.” She also noted her

agreement with the other findings. Commissioner Preston also noted that her main concern was the proximity of the homes on the project side of the highway, specifically the mobile home park. She recommended moving the project to the next parcel. She also agreed with the other six findings.

(8:52:25) – Mr. Baker offered mitigations to Finding No. 2, specifically the open pens, and proposed an additional Condition of Approval of “putting the outdoor component indoors.” He believed that the indoor pens would “further eliminate the odor concern, further eliminate the insect concern, completely eliminate the infiltration concern” (by having a concrete floor) “based on the legitimate concerns of the unknown from the public, that’s something the applicant is willing to put forward.”

(8:54:20) – Commissioner Preston received confirmation from Mr. Holcomb that “an indoor facility would actually mitigate noise, dust, insects, and smell.” At Chairperson Borders’ request Ms. Ferris read the following proposed Condition of Approval:

“Based on a voluntary condition offered by the applicant, live animals shall not be kept outdoors on-site. No open corrals will be allowed. The building shall be designed consistent with the approved processing building.”

(8:56:57) – Commissioner Killgore received confirmation from Mr. Holcomb that the livestock will be delivered via a trailer that backs up into a door to go directly into the building. Ms. Ferris reiterated the added conditions as follows: the upcoming one-year review; the enclosed corrals; the prevention of the Special Use Permit from being transferrable; and the sewer lift station/pro-rata share proposed earlier by Staff. Chairperson Border requested modifying Condition No. 20 to limit the processing for local events from six times per year to three times per year. Discussion ensued and at Chairperson Border’s request Ms. Ferris read into the record the following additional Conditions of Approval requested by the Commission:

One-year following the commencement of operations, the Planning Commission shall review the special use permit to ensure compliance with the conditions of approval. The applicant shall, at a minimum, submit to the Planning Commission documentation of the actual number of large animals harvested per week during the first year of operation and any crimes in the area associated with the facility. During this review, the Planning Commission may determine whether continued annual review is necessary.

The sewer lift station downstream of the project is at capacity with entitled projects. The project must enter into a development agreement with the City to pay its pro-rata share based on the peak flow to be contributed, with an available flow of 320 gallons per minute and a total project cost of \$1,000,000.

Based on a voluntary condition offered by the applicant, live animals shall be kept indoors on-site. No open corrals will be allowed. The building shall be designed consistent with the approved processing building.

This special use permit shall not be transferrable.

And, modifying Condition No. 20 to reduce the processing for local events from six times per year to three times per year where the applicant can exceed the processing of 60 animals.

(9:02:16) – Mr. Baker accepted the new and amended Conditions listed above as proposed on behalf of the applicant. Ms. Sullivan requested that each commissioner speak specifically to Finding No. 2 and whether or not they can make it. Chairperson Borders noted that with the added conditions, he did not “have a problem with Finding No. 2.” Vice Chair Wiggins also stated that “this meets one of my biggest concerns.” Commissioner Loyd also was in favor of the new Conditions and could meet Finding No. 2. Commissioner Preston was in favor of Finding No. 2 as well. Commissioner Killgore believed he would “probably [like to] hear from the public again considering it’s based on their opinion.” When asked for a decision by the Chair he stated “I can’t support it based on Condition [Finding] 2.” He confirmed for Ms. Sullivan that he still cited “peaceful enjoyment in the residents who live 900 feet away.” Chairperson Borders entertained a motion.

(9:04:26) – Chairperson Borders moved to approve special use permit LU-2021-0308 based on the findings and subject to the amended Conditions of Approval contained in the Staff Report and agreed to by the applicant. The motion was seconded by Commissioner Preston.

RESULT:	APPROVED (4-1-0)
MOVER:	Borders
SECONDER:	Preston
AYES:	Borders, Wiggins, Loyd, Preston
NAYS:	Killgore
ABSTENTIONS:	None
ABSENT:	Esswein, Perry

(9:05:02) – Chairperson Borders thanked everyone for attending and commenting. Ms. Sullivan announced that the item may be appealed, and that the appeal must be submitted within 10 days. She recommended those interested in appealing to contact Ms. Ferris.

(9:05:33) – Chairperson Borders recessed the Planning Commission meeting.

(9:13:08) – Chairperson Borders reconvened the meeting as the Growth Management Commission. Please refer to item 2 of the agenda.

14. STAFF REPORTS (NON-ACTION ITEMS)

- DIRECTOR'S REPORT TO THE COMMISSION

(10:14:35) – Chairperson Borders reconvened the Planning Commission and introduced the item. Ms. Sullivan noted that she had begun a review of Title 18 and wished to begin the public hearings on the item and advised of a possible workshop.

- FUTURE AGENDA ITEMS

None.

- COMMISSIONER REPORTS/COMMENTS

(10:15:28) – Chairperson Borders thanked the Commissioners for “a marathon meeting” and entertained Commissioner reports or comments; however, none were forthcoming.

15. PUBLIC COMMENT

(10:15:35) – Chairperson Borders entertained final public comments; however, none were forthcoming.

16. FOR POSSIBLE ACTION: ADJOURNMENT

(10:16:01) – Chairperson Borders adjourned the meeting at 10:16 p.m.

The Minutes of the, September 29, 2021 Carson City Planning Commission meeting are so approved this 15th day of December, 2021.